

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ERNIE HINES D/B/A COLORFUL MUSIC,

Plaintiff,

v.

BMG RIGHTS MANAGEMENT (US) LLC,  
W CHAPPELL MUSIC CORP., SHAWN  
CARTER p/k/a JAY-Z, TIMOTHY MOSLEY  
p/k/a TIMBALAND, and ELGIN BAYLOR  
LUMPKIN p/k/a GINUWINE,

Defendants.

CASE NO. 1:20-CV-03535-JPO

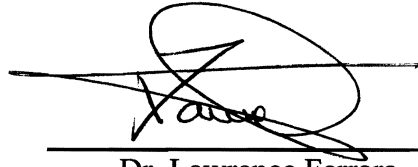
**DECLARATION OF DR. LAWRENCE FERRARA**

DR. LAWRENCE FERRARA, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I have been retained as an expert witness in this action. I have personal knowledge of the facts set forth herein, which are known by me to be true and correct, and if called as a witness, I could and would competently testify thereto.
2. Attached hereto as **Exhibit A** is a true and correct copy of my Expert Report in this action (the “Expert Report”), excluding Audio Exhibit 1, which has not been attached to avoid burdening the Court. Audio Exhibit 1 consists solely of publicly available sound recordings of the musical compositions of the three works at issue in this action; namely, “Help Me (Put Out The Flame In My Heart),” “Paper Chase,” and “Toe 2 Toe.”
3. My Expert Report is incorporated herein as though set forth in full.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: November 4, 2022  
Short Hills, New Jersey

  
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Dr. Lawrence Ferrara